

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

24-15605 BKOBJ01
BROCK & SCOTT, PLLC
302 Fellowship Rd, Suite 130
Mount Laurel, NJ 08054
(844) 856-6646
Attorneys for Nationstar Mortgage LLC

In Re:

Jose A Galvao

Case No: 24-15533-RG

Hearing Date: September 18,
2024

Judge: ROSEMARY
GAMBARDELLA

Chapter: 13

**OBJECTION TO CONFIRMATION
OF DEBTOR'S CHAPTER 13 PLAN**

Nationstar Mortgage LLC ("Creditor"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtor's Modified Chapter 13 Plan* [DE 22], and states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on May 31, 2024.
2. Creditor holds a security interest in the Debtor's real property located at 15 Ridge Lane, Blairstown, NJ 07825 (the "Property"), by virtue of a Mortgage.
3. The Debtor filed a Chapter 13 Plan (the "Plan") on August 16, 2024 [DE 22].
4. Creditor filed a Proof of Claim in this case on July 31, 2024 (Claim No. 18).
5. The Plan erroneously lists Creditor as a Secured Claim Unaffected by the Plan in Part 4(f). Creditor's Proof of Claim #18 includes pre-petition arrearage totaling \$5,322.33, whereas the Plan proposes to pay \$0.

6. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Creditor objects to any plan which proposes to pay it anything less than \$5,322.33 as the pre-petition arrearage over the life of the plan.

WHEREFORE, Creditor respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Creditor as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Matthew Fissel

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Jay Jones, NJ Bar No. 972011
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CERTIFICATION OF SERVICE

1. I, Elizabeth Oliver:

☐ represent _____ in this matter.

☒ am the secretary/paralegal for BROCK & SCOTT, PLLC, who represents Nationstar Mortgage LLC in this matter.

☐ am the _____ in this case and am representing myself.

2. On the undersigned date, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:

OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: August 16, 2024

/s/ Elizabeth Oliver
Elizabeth Oliver

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Jose A Galvao 15 Ridge Lane Blairstown, NJ 07825	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
SCOTT E. TANNE 70 BLOOMFIELD AVE SUITE 203 PINE BROOK, NJ 07058	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Marie-Ann Greenberg 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004	Chapter 13 Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
US Dept of Justice Office of the US Trustee	US Trustee	<input type="checkbox"/> Hand-delivered

One Newark Center Ste 2100 Newark, NJ 07102		<input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
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* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.